

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL O. PANSINI et al.,	:	CIVIL ACTION
<i>Plaintiffs,</i>	:	
v.	:	
	:	
THE TRANE COMPANY et al.,	:	NO. 17-3948
<i>Defendants.</i>	:	

ORDER

AND NOW, this 21st day of March, 2019, upon consideration of Defendant Ferguson Enterprises, Inc.'s Partial Motion for Summary Judgment (Doc. No. 64), the plaintiffs' response thereto (Doc. No. 69), Ferguson's Motion for Summary Judgment (Doc. No. 74), the plaintiffs' response thereto (Doc. No. 80), Defendants the Trane Company's and Ingersoll Rand's Motion for Summary Judgment (Doc. No. 75), the plaintiffs' response thereto (Doc. No. 79), and the defendants' replies (Doc. Nos. 81, 82, 84, and 86), and following an oral argument on January 11, 2019, **it is ORDERED** that:

1. Ferguson's Partial Motion for Summary Judgment (Doc. No. 64) is **GRANTED** as set out in the accompanying Memorandum;
2. Ferguson's Motion for Summary Judgment (Doc. No. 74) is **DEEMED MOOT** for the reasons set out in the accompanying Memorandum;
3. Trane's and Ingersoll Rand's Motion for Summary Judgment (Doc. No. 75) is **GRANTED IN PART** as set out in the accompanying Memorandum. The remainder of the Motion (Doc. No. 75) is **DEEMED MOOT**;
4. The defendants shall have forty-five (45) days from the docketing of this Order to depose the Pansinis' expert witness—at the plaintiffs' expense for counsels' reasonable

preparation and attendance at such a deposition—and/or hire their own experts to inspect the HVAC System and submit expert reports; and

5. The defendants shall have sixty (60) days from the docketing of this Order to file supplemented motions for summary judgment and/or *Daubert* motions.

BY THE COURT:

/s/ Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE